

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DUSTIN MICHAEL JOSEPH,

Plaintiff,

v.

PHILLIPS, *et al.*,

Defendants.

Case No. 3:22-cv-00177-MMD-CSD

ORDER

Pro se Plaintiff Dustin Michael Joseph, who is a pretrial detainee in the custody of the Washoe County Detention Facility, brings this action under 42 U.S.C. § 1983. Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Craig S. Denney (ECF No. 33), recommending that the Court grant Defendants’ motion for summary judgment (ECF No. 26). Joseph had until November 1, 2023, to file an objection. To date, no objection to the R&R has been filed. For this reason, and as explained below, the Court adopts the R&R in full and grants summary judgment in Defendants’ favor.

Because there is no objection, the Court need not conduct *de novo* review and is satisfied Judge Denney did not clearly err. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“*De novo* review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original). Here, Judge Denney recommends finding Defendants are entitled to qualified immunity. (ECF No. 33 at 10-11.) Having reviewed the R&R and the record in this case, the Court will adopt the R&R in full.

It is therefore ordered that Judge Denney’s Report and Recommendation (ECF No. 33) is accepted and adopted in full.

1 It is further ordered that Defendants' motion for summary judgment (ECF No. 26)
2 is granted.

3 The Clerk of Court is directed to enter judgment accordingly and close this case.

4 DATED THIS 15th Day of November 2023.

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8 MIRANDA M. DU
9 CHIEF UNITED STATES DISTRICT JUDGE
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